

Remarks

Reconsideration of this Application is respectfully requested. Claims 1-14 are pending in the application, with claims 1 and 9 being the independent claims. Based on the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Interview Summary

Applicant's representative appreciates the courtesies extended by the Examiner during the telephonic interview of August 13, 2003. Applicant respectfully disagrees with the statement in the interview summary indicating that claim 1 may be subject to a 35 U.S.C. §101 rejection. Applicant maintains that such a rejection would be improper.

It is respectfully submitted that the claims clearly define a useful process and system that employ devices with the scope of patentable subject matter.

Rejection Under 35 U.S.C. 103(a)

Claims 1-14 stand rejected under 35 U.S.C. 103(a) as being obvious over US 5,333,257 to Merrill et al. ("the Merrill patent") in view of US 6,085,976 to Sehr ("the Sehr patent").

The Applicant has developed a better understanding of the position taken by the Examiner based on the interview on August 13, 2003. More specifically, applicant now understands that the Examiner interpreted the original claims to cover the virtual viewing of public spaces described in the cited prior art. Without conceding the Examiner's assertion that the cited art is properly combinable or that it renders the original claims obvious, Applicant now takes the opportunity to refine the claims to make it clearer that they are directed to a physical, rather than a virtual, tour of a physical space. It is respectfully submitted that these amended claims thereby clearly obviate the Examiner's

issues with respect to the original claims. Thus, independent claims 1 and 9 are allowable. Dependent claims 2-7 and 10-13 have also been amended to reflect the changes in the independent claims. As they depend from allowable independent claims, they are allowable as well. Applicant respectfully submits that claims 1-14 are allowable.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, this submission complies with 37 C.F.R. 1.111. Furthermore, the present application is in condition for allowance. If the Examiner believes, for any reason, that further personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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